

**Supporting Statement for Petition to Classify Orphan as an Immediate Relative;  
Application for Advance Processing of an Orphan Petition;  
Supplement 1, Listing of an Adult Member of the Household;  
OMB Control No.: 1615-0028  
COLLECTION INSTRUMENT(S): Forms I-600; I-600A and Supplement 1.**

**A. Justification**

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

Section 204(a)(1)(A)(i) of the Immigration and Nationality Act (INA) permits a U.S. citizen to file a petition to classify the citizen's "child" as eligible to apply for an immigrant visa as an "immediate relative," under section 201(b) of the INA in order to come to the United States for admission as a permanent resident. One of the ways a foreign national (who is unmarried and under the age of 21) can qualify as the "child" of a citizen is if the foreign national is an "orphan," as defined by section 101(b)(1)(F) of the INA who either has been adopted by the citizen, or is coming to the United States to be adopted by the citizen. U.S. Citizenship and Immigration Services (USCIS) must, under section 204(b) of the INA, investigate every immigrant visa petition to determine whether the beneficiary qualifies for the immigrant visa classification that is sought. For an "orphan" case, USCIS may approve the petition only if USCIS is satisfied that the orphan will receive proper parental care. Section 204(d) of the INA requires the submission of an adoption home study in every orphan petition case.

USCIS has designated Form I-600 as the immigrant visa petition that a U.S. citizen files to obtain a formal USCIS adjudication of whether a child beneficiary, whom the citizen has adopted or intends to adopt, is an eligible orphan as defined by section 101(b)(1)(F) of the INA and deemed to be an "immediate relative" under section 201(b) of the INA. The citizen submits with Form I-600 the home study required by section 204(d) of the INA, evidence that the child qualifies as an "orphan," and evidence that the citizen either has adopted the child or will be able to adopt the child in the United States after the child's arrival in the United States. If USCIS approves the Form I-600, the citizen can then apply to a U.S. consulate abroad for issuance of an immigrant visa for the child.

In many cases, the citizen begins the adoption process before a placement agency or other appropriate authority abroad has proposed a specific adoption placement. To facilitate these cases, USCIS designated Form I-600A as an application the citizen can file, with the home study required by section 204(d) of the INA, to obtain a formal decision on the "proper parental care" issue even before there is a specific placement. If the citizen obtains approval of the Form I-600A, then, when the citizen files Form I-600, the "proper care" issue has already been addressed. Thus, absent significant changes in the household or in the number or characteristics of the child or children the citizen intends to adopt, the citizen only needs to present with the Form I-600 evidence that the specific child that has been or will be adopted is an "orphan," and that a valid adoption either has taken place or will take place in the United

States. A citizen is never required to file a Form I-600A. It is always permissible to wait until an adoption placement has been made, and submit all of the evidence together at one time with the Form I-600. Filing the Form I-600A before receiving a specific adoption placement can serve to shorten the time that it can take to adjudicate a Form I-600.

A single filing fee applies, regardless of whether the citizen files just the Form I-600 or files both a Form I-600A and then a Form I-600.

As part of the determination whether an adopted child will receive proper care, 8 C.F.R. 204.3(e) requires a home study to address any adult member of the prospective adoptive family's household, in addition to the citizen and his or her spouse. Each adult member of the household must be fingerprinted, interviewed by the home study preparer, and evaluated in the home study. Supplement 1 allows for more efficient collection of necessary information about adult household members so that USCIS can more expeditiously identify these individuals as well as schedule the necessary security checks.

As of July 14, 2014 the Intercountry Adoption Universal Accreditation Act of 2000 (UAA), requires that certain applications and petitions filed with USCIS must meet the requirements of the UAA (subject to certain grandfathering criteria). This will require that applicants and petitioners with cases subject to the UAA provide a home study that has been conducted by an individual or agency authorized under 22 CFR 96 to conduct home studies for Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Adoption Convention) cases (see definition of home study preparer in 8 CFR 204.301). All home studies, including home study updates and amendments, must comply with the Hague Adoption Convention home study requirements at 8 CFR 204.311, which differ from the home study requirements under 8 CFR 204.3(e) in effect for orphan cases prior to July 14, 2014. In addition and as a result of the UAA:

- An adult member of the household is now considered an individual or person as defined at 8 CFR 204.301;
- Under 8 CFR 204.311(d) and 8 CFR 204.309(a), the citizen, his/her spouse (if married), and any adult member of the citizen's household have a duty of candor in completing Form I-600A (if applicable), Form I-600, during the home study process, and an ongoing duty of disclosure throughout the adoption process. This ongoing duty continues while any Form I-600A is pending, after any Form I-600A is approved, while any Form I-600 is pending, and until there is a final decision admitting a child, on whose behalf the citizen filed Form I-600, to the United States with a visa; and
- The citizen must identify a primary adoption service provider when filing Form I-600. Under 22 CFR 96, a primary provider is responsible for: 1) ensuring that all six adoption services defined at 22 CFR 96.2 are provided consistent with applicable laws and regulations; 2) supervising and being responsible for supervised providers where used (see 22 CFR 96.14); and, 3) developing and implementing a service plan in accordance with 22 CFR 96.44.
- Under 22 CFR 96.47(d), the adoption service provider is responsible for ensuring the timely transmission of the same home study that he/she provides to prospective/adoptive parents or USCIS to the child's country of origin.

As noted, section 204(a)(1)(A)(i) of the INA provides for the filing of visa petitions by citizens for their close relatives who wish to immigrate. Section 103(a)(3) of the INA, in turn, authorizes the Secretary of Homeland Security to prescribe forms to be filed to obtain immigration benefits. With respect to the Form I-600A, Form I-600, and Supplement 1, USCIS exercises this authority on the Secretary's behalf by virtue of Department of Homeland Security Delegation Memorandum 150.1 (June 5, 2003).

Any individual may be required to submit biometric information if the regulations or form instructions require such information or if requested in accordance with 8 CFR 103.2(b)(9). DHS may collect and store for present or future use, by electronic or other means, the biometric information submitted by an individual. DHS may use this biometric information to conduct background and security checks, adjudicate immigration and naturalization benefits, and perform other functions related to administering and enforcing the immigration and naturalization laws. See 8 CFR 103.16; 8 U.S.C. 1103. Applicants and petitioners providing information through forms I-600A, I-600, and Supplement 1, are required to provide biometrics that include photographs and fingerprints, and in connection with a very small volume of cases (estimated 26 cases), biometrics may include voluntary DNA collection. If the information collected about the beneficiary (child) to determine if the child is eligible as an orphan under section 101(b)(1)(F) of the INA is insufficient to establish that the child is the birth child of his or her purported birth parent, USCIS may advise the petitioner that he or she may use DNA testing to establish the validity of the claimed genetic parent-child relationship. DNA testing is voluntary and all costs of testing and must be borne by the petitioner.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

An U.S. prospective adoptive parent may file Form I-600A in advance of the Form I-600 filing and USCIS will make a determination regarding their prospective adoptive parent's eligibility to file Form I-600A and their suitability and eligibility to properly parent an orphan. USCIS has exclusive jurisdiction over Form I-600A adjudications and collects evidence such as a USCIS compliant home study, civil documents regarding birth and marriage (if any), as well as identity documentation for each prospective adoptive parent and adult member of the household.

An U.S. adoptive parent may file a petition to classify an orphan as an immediate relative through Form I-600 under section 101(b)(1)(F) of the INA. In this adjudication, USCIS will use the information collected about the child to determine if the child is eligible as an orphan under section 101(b)(1)(F) of the INA.

If a U.S. prospective/adoptive parent has an adult member living within their household, as defined at 8 CFR 204.301, they the prospective/adoptive parent will include the Supplement 1 when filing both Form I-600A and Form I-600. The Supplement 1 must be completed and signed by the adult member of the household. As stated above, Supplement 1 allows for more efficient capture of necessary information about adult household members of the household so

that USCIS can expeditiously identify these individuals as well as schedule the necessary security checks.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The use of Forms I-600A, I-600 and Supplement 1 provides the most efficient means for collecting and processing the data required for adjudicating these requests. These forms, and their instructions, reside on the USCIS Web site at <http://www.uscis.gov/i-600>, and <http://www.uscis.gov/i-600a>. These forms can be downloaded, completed and saved electronically. The forms, along with the required supporting documentation, must be mailed to the USCIS office that has jurisdiction over the respondent. Petitioners who have an approved Form I-600A application may also have the option to file Form I-600 in the child's country of origin, regardless of whether USCIS has a presence in that country or not. USCIS has delegated limited authority to the U.S. Department of State (DOS) to approve Form I-600 petitions on its behalf in such situations.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

USCIS has investigated its internal processes, files and data, as well as those of other Federal agencies that may serve the same population. USCIS was not able to find any other means by which the information necessary for this process could be obtained except for the use of the forms submitted for approval in this request. USCIS will continue to examine ways in which information may be obtained from other sources and any identified duplications can be minimized or removed.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

Applicants will be required to work with an agency or person who is accredited or approved under 22 CFR 96 to act as the primary provider in their case and will be required to provide a home study prepared by an individual or agency authorized under 22 CFR 96 to conduct home studies. These are new requirements are being introduced in this submission to Office of Management and Budget (OMB). Before this change, citizens could work with an adoption service provider when filing Form I-600A, Form I-600, and Supplement 1 that was not accredited under DOS procedures at 22 CFR 96 and could provide a home study prepared by an individual or agency that is authorized under state law, but not authorized under 22 CFR 96. Adoption service providers who have not been accredited or approved under 22 CFR 96 will either incur a loss of income from no longer being able to collect fees to provide adoption services or incur costs to bring their services into compliance with the new USCIS petition and application requirements. In addition, even if the home study preparer was authorized to

perform a Hague Adoption Convention home study, the home studies they conducted in non-Hague Adoption Convention cases were under 8 CFR 204.3(e). Those home studies may have not met all of the Hague Adoption Convention home study requirements at 8 CFR 204.311. The change may require home study preparers to perform more services and either incur costs to do so or collect more fees than prior to July 14, 2014.

USCIS has no data on the number of adoption service providers who will be affected by this change or the extent that adoption services are provided by small entities. Although USCIS has no discretion in deciding to impose the requirements of the UAA on July 14, 2014, USCIS will request public input on how it could mitigate the impacts on affected small entities within the confines of the law.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

The collection of this information is required to determine eligibility and suitability of U.S. adoptive parents and the eligibility of the orphan(s) they plan to adopt (or have already adopted). Without this information, USCIS would not be able to determine whether a child whom a citizen had adopted or intended to adopt was eligible to immigrate to the United States as an orphan under INA 101(b)(1)(F). Additionally, without these forms the processing of orphan petitions would be protracted and USCIS will be unable to ensure compliance with the UAA.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances applicable to this information collection. This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. **If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

On April 17, 2014, USCIS published a 60-day notice in the Federal Register at 79 FR 21784. USCIS did receive comments after publishing that notice.

One commenter favored shutting down the [U.S. intercountry adoption] program based on concerns of an increase of foreigners coming to the United States and that [adopted] children are not indeed relatives. The commenter further stated that the program increases costs to taxpayers.

Congress mandated through the Immigration and Nationality Act that U.S. citizens may immigrate adopted children to the United States provided certain requirements are met. USCIS publishes forms and instructions in order to determine the immigration eligibility of adopted children and cannot eliminate this avenue of immigration.

This information collection notice requests comments on whether the proposed collection of information is necessary for the proper performance of the functions of the agency; on the accuracy of the agency's estimate of the burden of the proposed collection of information; on enhancing the quality, utility, and clarity of the information to be collected; and on minimizing the burden of the collection of information on the public. USCIS cannot address comments that are beyond the scope of this information collection notice. Since this commenter does not request any changes to the Forms I-600A, I-600A or I-600A/Form I-600 Supplement 1 or related instructions, USCIS will not be making any changes to the forms or instructions as a result of this comment.

Two commenters jointly submitted six recommended changes to the Forms I-600A, I-600A or I-600A/Form I-600 Supplement 1, and related instructions. The first comment states that the forms should not inquire whether both parents will be traveling prior to or during the adoption based on the Consolidated Appropriations Act, 2014 (CAA). USCIS agrees with the comment, but believes that it made sufficient revisions to reflect the changes in the CAA. In order to avoid any confusion, USCIS will add a clarifying note on the Form I-600 instructions and will revise Form I-600A Question 1 in Part 3, and remove Question 2 in Part 3.

The second comment stated that forms and instructions should list multiple options for the primary provider requirement, including the option for prospective adoptive parent applicants and petitioners acting on their own behalf. USCIS interprets the International Universal Accreditation Act of 2012 (UAA) to require the identification of a primary provider in every non-Hague Adoption Convention case, even if the applicant or petitioner is completing some adoption services on his or her own behalf. USCIS will, therefore, not be listing multiple options for the primary provider requirement.

The third comment recommends deleting text from Part 10, Question 7B on Form I-600 as it could be a violation of attorney client privilege. The language for Question 7B has been approved as standard language for USCIS forms in consultation with the Department of Justice. USCIS will retain this language on Question 10.

The fourth comment states that it is unclear whether staff members of accredited agencies, who are not attorneys, may prepare the Forms I-600 and I-600A for the families with whom they work. USCIS acknowledges that the term “accredited representative” is specific to practice before USCIS and/or the Executive Office for Immigration Review (EOIR) yet could be confused with “accreditation” under the Department of State regulations at 22 CFR Part 96 to provide adoption services. USCIS will add a note to clarify this distinction.

The fifth comment requests more clarity about determination of household size in Form I-600A, Supplement 1 and instructions. The UAA aims to align certain elements of the Hague Adoption Convention process with the non-Hague Adoption Convention process (as known as the orphan process). As such, the UAA extends the definition of adult member of the household to non-Hague Adoption Convention cases. USCIS determines whether an individual is considered an adult member of the household on a case-by-case basis based on the totality of evidence in each case. USCIS has included the regulatory definition of an adult member of the household in the Form I-600A and Form I-600 instructions, and not be making additional clarifications on this definition because each case presents a unique set of facts.

The sixth and final comment suggests that extension of the Form I-600A approval mirror the same process used in the Hague Adoption Convention process (Form I-800A). USCIS appreciates this recommendation and will take it into consideration in future revisions. Due to the need to publish the UAA-revised forms as close to the UAA effective date as possible, it will not be possible to make these sizable changes during this revision.

On June 27, 2014, USCIS published a 30-day notice in the Federal Register at 79 FR 36544.

USCIS did receive comments after publishing that notice.

One commenter recommended adding additional questions to the Form I-600A to identify how many times prospective adoptive parents have previously filed adoption-related immigration forms and the outcome of those filings. The commenter stated that the addition of such questions “provides a way of tracking the disruptions and dissolutions of internationally adopted children as a matter of first instance,” and “will serve as a deterrent to unsafe adoptions.” USCIS agrees with the recommendation, and added related questions on both the Form I-600A and Form I-600.

USCIS received two additional comments – one about Form I-601, Application for Waiver of Grounds of Inadmissibility, and another about the unaccompanied minor children arriving at the U.S. southwest border. Since both of these topics are outside the scope of these revisions, USCIS will not be making any changes to the forms or instructions as a result of these comments.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

There is no assurance of confidentiality. The system of records notices associated with this information collection are DHS/USCIS-005 - Inter-Country Adoptions Security System of Records Notice, published on June 5, 2007, at 72 FR 31086 and DHS/USCIS/ICE/CBP-001 - Alien File, Index, and National File Tracking System of Records, published on June 13, 2011, 76 FR 34233. Form I-600 will be covered by the forthcoming ACMS PIA. .

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to person’s from whom the information is requested, and any steps to be taken to obtain their consent.**

There are questions of a sensitive nature.

Form I-600:

*Part 2, Q9. The beneficiary is an orphan because (Select only one):*

*He or she has no parents due to death or disappearance of, abandonment or desertion by, or separation or loss from both parents.*

*He or she has only one sole or surviving parent who is incapable of providing proper care and who has irrevocably released the child for emigration and adoption in writing.*

STATEMENT OF NEED: This question is relevant to assess a child's eligibility as an orphan under INA § 101(b)(1)(F).

*Part 2, Q10. If the orphan has only one parent, answer the following:*

- A. What happened to the other birth or previous parent?*
- B. Is the remaining parent capable of providing proper care for the orphan? Yes or No*
- C. Has the remaining parent irrevocably released the orphan for emigration and adoption in writing? Yes or No*

STATEMENT OF NEED: This question is relevant to assess a child's eligibility as an orphan under INA § 101(b)(1)(F).

*Part 2, Q14. To your knowledge:*

- A. Does the orphan have any special need, disability, and/or impairment? Yes or No.*
- B. If you answered "Yes," name or describe the special need, disability, and/or impairment.*

STATEMENT OF NEED: Under INA § 204(d), USCIS must be satisfied that the orphan will receive proper parental care. Further, under 8 CFR 204.311, the home study must contain a discussion of the prospective adoptive parent(s) preparation, willingness, and ability to provide proper care for a child with special needs.

*Part 2, Q15. Who has legal custody of the child?*

STATEMENT OF NEED: This question is necessary in order for USCIS to assess a child's eligibility as an orphan under INA § 101(b)(1)(F).

Supplement 1 (Part 1, Q10), Form I-600A (Part 1, Q22-23), and Form I-600 (Part 1, Q22-23)

STATEMENT OF NEED: This question is necessary in order for USCIS to assess the applicant/petitioner, spouse (if married), and any adult member of the household's duty of disclosure responsibilities under 8 CFR 204.311(d) and 8 CFR 204.309(a).

Form I-600A (Part 4) and Form I-600 (Part 4)

These questions are necessary under Section 504 of the Rehabilitation Act, 29 USC § 794(a) - USCIS ask these questions on disability to gather the necessary information to fully comply with section 504 of the Rehabilitation Act, 29 USC § 794(a).

In addition to the above questions, a home study is required to demonstrate the suitability and eligibility of the prospective adoptive parent(s) to adopt. The home study will require that a home study preparer come to the applicant's home and ask a lot of questions about the applicant's past, as well as about other adult members of the household. The home study preparer will be looking for problems or weaknesses that may preclude the prospective adoptive parent(s) from adopting a child, so these questions can be intimidating. The home study generally requires:

- A physical, mental, and emotional health assessment and an explanation of whether any health issues will affect his and/or her ability to care for a child.
- An assessment of finances, including a description of income, financial resources, debts, and expenses, which may require submission of paycheck stubs or income tax forms, and a worksheet of bills, mortgage or rent payments, car payments, or other supporting financial documents.
- Disclosure of criminal history and checks of available child abuse registries for all adult members of the household.
- Names, addresses, and phone numbers of three or four references for both prospective adoptive parents.
- A statement from each current child about his or her feelings toward the adoption and the children’s interests, hobbies, and grades.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14**

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate*	Total Annual Respondent Cost
Individuals or Households	Petition to classify orphan as immediate relative, Form I-600	2,665	1	.750 hours (45 min)	1,998.75	\$30.81	\$61,581
Individuals or	Application for advance	3,576	1	.750 hours (45	2,682		

Households	processing of orphan petition, Form I-600A			min)		\$30.81	\$82,632.42
Individuals or Households	Supplement 1, Listing of Adult Member of the Household	3,316	1	.25 hours (15 min)	829	\$30.81	\$25,541.49
Individuals or Households	Home Study	3,576	1	25 hours~	89,400	\$30.81	\$2,754,414
Individuals or Households	Biometrics	12,873**	1	1.17 hours	15,061.41	\$30.81	\$464,042.04
Individuals or Households	Biometrics - DNA <sup>1</sup>	26		6 hours	156	\$30.81	\$4,806.36
Total		***I-600 = 2,665 I-600A= 3,756 Supp. 1 = 3,316			110,127.16		<b>\$3,248,803.7</b>

\* The above Average Hourly Wage Rate is derived from the [May 2013 Bureau of Labor Statistics Mean Hourly Wage for "All Occupations"](#). The wage rate of \$30.81 is calculated from the base average wage rate of \$22.01 times the wage rate benefit multiplier of 1.4. The selection of "All Occupations" represent the possibility that a respondent can be employed in any type of work; the collection is not targeting any specific category of employment.

\*\* Form I-600A, Form I-600, and Supplement 1 respondents must provide biometrics (Form I-600 filers, who previously filed Form I-600A and file while within their Form I-600A and fingerprint validity periods do not have to be re-fingerprinted for USCIS purposes). All adult members of the prospective/adoptive parent's household, even those not listed on the previously voluntary Supplement 1 must also provide biometrics.

\*\*\* The total of respondents per form or supplement is not aggregated.

<sup>1</sup> If the information collected about the child to determine if the child is eligible as an orphan under section 101(b)(1)(F) of the INA is insufficient to establish that the child is the birth child of his or her purported birth parent, USCIS may advise the petitioner that he or she may use DNA testing to establish the validity of the claimed genetic parent-child relationship. DNA testing is voluntary and all costs of testing and must be borne by the petitioner. The estimated burden for Form I-600 includes the burden required to provide information about the child to determine if the child is eligible as an orphan. USCIS decided to segregate the burden estimate for these DNA collections because the collection of DNA is an extraordinary step and may increase the burden above the time required for typical Form I-600 adjudications.

~ USCIS estimates that it takes, in average, 20-30 hours (25 hours) to obtain a home study. The estimated time burden can be broken down as follows:

- Training- at least approximately 10 hours.
- Interviewing- 2-10 hours depending on the family and how many people are in the home and how many need to be interviewed.
- Gathering Documentation- approximately 10 hours - Adopting parents will have to gather requisite financial and medical documentation in order for the HSP to be able to assess their suitability and eligibility. This may take families varying amounts of time, depending on their circumstances.

In addition, there is a potential “Ongoing Duty of Disclosure” burden placed on the adopting parents. The burden related to this type of duty is generally observed as part of the need of having to obtain an amended/updated home study, thus it could be characterized as the burden of obtaining an amended/updated home study. Such burden is going to vary depending on the family and depending on who is preparing the updated or amended home study. Some Home Study Preparers (HSPs) treat an amended/updated home study as a complete new home study and will come back to interview the adopting parents in person; while other HSPs, may just have a more cursory phone interview with the adoptive parent or parents.

13. **Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**
- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and, (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
  - **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
  - **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995; (2) to achieve regulatory compliance with requirements not associated with the information collection; (3) for reasons other than to provide information or keep records for the government; or, (4) as part of customary and usual business or private practices.**

For informational purposes, the filing fee for Form I-600A is \$720. The filing fee for Form I-600 is \$720 for each petition, unless the children are birth siblings. No fee is required for filing Form I-600 if the petitioner filed Form I-600A and it was approved (or an extension was approved) within the previous 18 months or is still pending and the Form I-600 the petitioner is filing is the first he or she has filed based on that Form I-600A (or he or she is filing multiple petitions for birth siblings). An additional biometrics services fee of \$85 is required for fingerprinting every adult member of the household, as defined at 8 CFR 204.301.

There might also be a cost to respondents for responding to this information collection associated with completing the paperwork. USCIS continues to gather information on the amount of those costs as follows:

1. Translations.

Respondents might incur burden for translations of documents in foreign languages. For respondents to obtain assistance for form preparation and legal services, translators, and document search and generation, USCIS estimates the cost of this information collection may vary widely, from as little as \$20 to \$500 (\$260 average) per respondent. USCIS estimates the percentage of respondents who will require third party assistance may be 100% of respondents. Thus the cost of obtaining assistance to respond to this information collection may be between \$53,300 ( $\$20/\text{respondents} * 100\% * 2,665 \text{ respondents}$ ) and \$1,332,500 ( $\$500/\text{respondent} * 100\% * 2,665 \text{ respondents}$ ).

USCIS continues to evaluate the estimated burden associated with this activity. USCIS will seek comments on how long this requires and provide estimates in its next submission to OMB based on the results of public comments it receives and information that can be found from other resources.

2. Preparers/Attorneys.

USCIS estimates that approximately 8% of respondents who file these requests hire third parties (e.g. those providing legal services) to assist with form completion so there may be costs for a petitioner to hire a preparer to assist in the process. USCIS currently estimates that the cost to petitioners associated with this activity amounts to \$10,063, which results from the following analysis: 8% of 2,665 respondents (Total number of petitioners who file forms I-600 who hire preparers/attorneys) X .750 hours (Time Burden per request) X \$62.93 ([BLS National Mean Hourly Wage rate](#)).

USCIS has requested and will continue to request public comments on the cost associated with the hiring of preparers/attorneys to assist with the preparation and submission of this type of request. USCIS will include the results of the public comments and its own analysis in the next submission following this request.

3. Home Study.

Applicants will incur costs as a result of the accreditation requirements imposed by the U.S. Department of State in 22 CFR 96. Respondents are required by 8 CFR 204.311 to submit a home study conducted and prepared by an individual or agency who is authorized under 22 CFR 96 to prepare such study (see definition of home study preparer in 8 CFR 204.301).

USCIS has little precise data on the costs a prospective adoptive parent typically incurs to hire a home study preparer when filing Form I-600 and/or Form I-600A, but anecdotal evidence indicates that charges are usually minimal. Generally, the cost of the home study depends on the individual or agency conducting the home study. Public domestic authorities, such as a Department of Social Services, do not usually charge, or if they do, they often reimburse the fees if the adoption is successfully finalized. Costs for home studies conducted by an individual or agency other than a public domestic authority can run anywhere from \$500 to \$3000 (average \$1750) and are usually less if the adoption is of a special needs child. USCIS has requested and will request public comments on the costs and burden associated with these studies, in connection with the preparation and submission of Form I-600A. USCIS will include the results of future public comments and its own analysis in the next submission following this request. USCIS currently estimates that the cost to respondents for providing home studies is of approximately \$6,258,000.

#### 4. DNA Test.

A very small portion of this collection's population (26 estimated cases) might have to incur expenses associated with DNA tests that USCIS may advise so eligibility is established. USCIS currently estimates that these test might cost, in average, around \$488, based on the information provided by AABB accredited labs and other DNA pricing information available online. Here are some links that help illustrate these examples: List of AABB accredited labs: <http://www.aabb.org/sa/facilities/Pages/RTestAccrFac.aspx>; samples of fees associated with DNA tests: <http://www.dnacenter.com/paternity/legal-testing.html> - \$500; <http://www.genetictechnologies.com/FAQ.html#q02> - \$300; <http://www.affiliatedgenetics.com/?product=immigration-testing> - \$675; <https://andergene.com/pricing.html> - \$395.

The total current estimated cost to respondents in connection with this information collection is \$6,973,662.

- 14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

#### Annualized Cost Analysis:

- a. Printing Cost: \$2,025
- b. Collection and Processing Cost: \$5,585,700

c. Total Cost to Government (funded by USCIS user fee collections): \$5,587,725

### **Government Cost**

The estimated cost to the government is \$7,450,228, which is funded by USCIS user fee collections, is calculated by multiplying the estimated number of respondents x the fee charge for a collection, in addition to the number of respondents from whom USCIS collects biometrics x \$85 biometric fee. The total cost includes the suggested hourly rate for clerical, officer and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking and distributing and processing of this form. The costs are derived as follows:

- Form I-600 respondents ( 2,665) x fee charge (\$720) = \$1,918,800; plus
- Form I-600A respondents ( 3,576) x fee charge (\$720) = \$2,574,720; plus
- Biometrics Respondents (12,873) x fee charge (\$85) = \$1,094,205; plus
- Printing cost (\$2,025).

USCIS is analyzing a more detailed breakdown of the costs to USCIS of this information collection and will provide more cost data in our next submission to OMB following this request.

**15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.**

The current hour inventory approved for this form is 28,013 hours, and the requested new total hour burden is 110,127.16, which is an increase of 82,114.16 annual burden hours. This change in burden results from the agency's better estimates on number of respondents and time burden associated with these requests. USCIS is adding the burden associated with home studies as mandated under the UAA (equaling to 89,400 burden hours). USCIS is also now disclosing the burden estimate associated with the collection of DNA, which is adding an additional 156 burden hours to the total burden hours estimated for this collection . (See the table on pages 10 and 11 of this supporting statement for more information).

USCIS will provide a more detailed accounting of the effects on the total burden of this information collection resulting from each of these changes in its next information collection request to OMB. USCIS has made these changes to Forms I-600A, I-600, and Supplement 1 and related instructions due to the implementation of the UAA, effective on July 14, 2014.

As of July 14, 2014, the UAA requires that certain applications and petitions filed with USCIS must meet the requirements of the UAA (subject to certain grandfathering criteria). This will require that applicants and petitioners with cases subject to the UAA provide a home study that has been conducted by an individual or agency authorized under 22 CFR 96 to conduct home studies for Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Adoption Convention) cases (see definition of home study preparer in 8 CFR 204.301). All home studies, including home study updates and amendments, must comply with the Hague Adoption Convention home study requirements at 8 CFR

204.311, which differ from the home study requirements under 8 CFR 204.3(e) in effect for orphan cases prior to July 14, 2014. The forms and instructions covered under this information collection have been revised accordingly.

- 16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

USCIS does not intend to employ the use of statistics or the publication thereof for this information collection.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

USCIS will display the expiration date of OMB approval for this information collection.

- 18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submission,” of OMB 83-I.**

USCIS does not request an exception to the certification of this information collection.